

1 THE HONORABLE DAVID G. ESTUDILLO
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 WESTPORT BY THE SEA, PHASE III
12 CONDOMINIUM OWNERS ASSOCIATION, a
13 Washington Non-Profit Corporation,

14 Plaintiff,

15 v.

16 WEST AMERICAN INSURANCE COMPANY,
17 an Indiana Company; THE OHIO CASUALTY
18 INSURANCE COMPANY, a New Hampshire
19 Company; OHIO SECURITY INSURANCE
20 COMPANY, a New Hampshire Company;
21 LIBERTY MUTUAL HOLDING COMPANY,
22 INC., a Massachusetts Company; INSURANCE
23 COMPANY OF THE WEST, a California
24 Company; GREAT AMERICAN INSURANCE
COMPANY OF NEW YORK, a New York
Company; PACIFIC INSURANCE COMPANY,
LIMITED, a Connecticut Company; MT.
HAWLEY INSURANCE COMPANY, an
Illinois Company; WESTCHESTER SURPLUS
LINES INSURANCE COMPANY, a Georgia
Company; QBE SPECIALTY INSURANCE
COMPANY, a North Dakota Company;
PRAETORIAN SPECIALTY INSURANCE
COMPANY, a North Dakota Company;
PRAETORIAN INSURANCE COMPANY, a
North Dakota Company; and DOE INSURANCE
COMPANIES 1-10,

25 Defendants.

26 No. 3:21-cv-05645-DGE

STIPULATION AND ORDER FOR
DISMISSAL OF DEFENDANT
WESTCHESTER SURPLUS LINES
INSURANCE COMPANY

STIPULATION AND ORDER FOR DISMISSAL OF
DEFENDANT WESTCHESTER SURPLUS LINES INSURANCE
COMPANY
NO. 3:21-CV-05645-DGE

LAW OFFICES OF
COZEN O'CONNOR
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SEATTLE, WASHINGTON 98104
(206) 340-1000

1 **STIPULATION**

2 The only remaining parties to the present action are Plaintiff WESTPORT BY THE SEA,
3 PHASE III CONDOMINIUM OWNERS ASSOCIATION and Defendant WESTCHESTER
4 SURPLUS LINES INSURANCE COMPANY (“Westchester”).

5 By and through their attorneys of record, Plaintiff and Defendant Westchester hereby
6 stipulate and agree to the dismissal of all claims between them, without prejudice and without
7 fees or costs awarded against any party.

8 Dated this 12th day of September, 2022.

9 STEIN, SUDWEEKS & STEIN, PLLC

10 By: /s/ Daniel J. Stein

11 Jerry H. Stein, WSBA No. 27721
12 Justin D. Sudweeks, WSBA No. 28755
13 Daniel J. Stein, WSBA No. 48739
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Dated this 12th day of September, 2022.

COZEN O’CONNOR

By: /s/ Peter Berg

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18 *Attorneys for Defendant Westchester
Surplus Lines Insurance Company*

19 *Attorneys for Plaintiff Westport By the Sea,
20 Phase III Condominium Owners Association*

21 **STIPULATION AND ORDER FOR DISMISSAL OF**
22 **DEFENDANT WESTCHESTER SURPLUS LINES INSURANCE**
23 **COMPANY - 1**
24 **NO. 3:21-CV-05645-DGE**

25 **LEGAL\59409163\1**

26 **LAW OFFICES OF**
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ORDER OF DISMISSAL

THIS MATTER having come before the Court upon the Stipulation of the above-referenced parties, and the Court having reviewed the Stipulation and finding good cause, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims between Plaintiff and Defendant Westchester are hereby dismissed in their entirety without prejudice and without fees or costs against any party.

DATED this 13th day of September, 2022.



David G. Estudillo
United States District Judge

Presented by:

COZEN O'CONNOR

By: /s/ Peter Berg
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Attorneys for Defendant Westchester Surplus Lines Insurance Company

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STIPULATION AND ORDER FOR DISMISSAL OF
DEFENDANT WESTCHESTER SURPLUS LINES INSURANCE
COMPANY - 2
NO. 3:21-CV-05645-DGE

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2 *Attorneys for Defendant Westchester Surplus
Lines Insurance Company*

3 Approved; Notice of Presentation Waived:

4 STEIN, SUDWEEKS & STEIN, PLLC

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6 By: /s/ Daniel J. Stein
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21 Phase III Condominium Owners Association*

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STIPULATION AND ORDER FOR DISMISSAL OF
DEFENDANT WESTCHESTER SURPLUS LINES INSURANCE
COMPANY - 3
NO. 3:21-CV-05645-DGE

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CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 12th day of September, 2022.

COZEN O'CONNOR

By: /s/ Bonnie L. Buckner
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STIPULATION AND ORDER FOR DISMISSAL OF
DEFENDANT WESTCHESTER SURPLUS LINES INSURANCE
COMPANY - 4
NO. 3:21-CV-05645-DGE

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